

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT ANDREW JOHNNY,

Defendant.

CASE NO. 2:22-cr-00042-LK

ORDER CONTINUING
SENTENCING

This matter comes before the Court on Defendant Robert Andrew Johnny's Unopposed Motion to Continue Sentencing. Dkt. No. 93. On October 19, 2022, the Court accepted Mr. Johnny's plea of guilty to the charge contained in Count 10 of the Indictment (in violation of Title 18, United States Code, Section 924(c)) and to the lesser-included offenses of those charged in Counts 1 and 9 of the Indictment (in violation of Title 21, United States Code, Section 841). Dkt. No. 87 at 1. Sentencing is set for December 28, 2022. Dkt. No. 76.

Mr. Johnny asks the Court to continue sentencing to January 25, 2023 because his counsel, who has represented him since his initial appearance, is unavailable on December 28, 2022. Dkt. No. 93 at 2. Although the Court generally "must impose sentence without unnecessary delay," it

1 may, for “good cause,” deviate from the time limits prescribed by the Federal Rules of Criminal
2 Procedure. *See* Fed. R. Crim. P. 32(b). And the Local Rules expressly contemplate a sentencing
3 continuance “based on the need for more time.” LCrR 32(i)(1)(B). Here, Mr. Johnny has
4 demonstrated good cause for more time so his counsel can represent him at the sentencing hearing.
5 The Court finds that the interests of the public and the defendant in an immediate sentencing in
6 this case are outweighed by the ends of justice.

7 Finding good cause, the Court CONTINUES sentencing to January 25, 2023 at 10:00 a.m.

8 Dated this 29th day of November, 2022.

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10 Lauren King
11 United States District Judge
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